

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Telecommunications Division
Carrier Branch**

**RESOLUTION T-16753
July 10, 2003**

R E S O L U T I O N

**RESOLUTION T-16753. REVOCATION OF CERTIFICATES OF PUBLIC
CONVENIENCE AND NECESSITY OF 79 COMPETITIVE CARRIERS
FOR FAILURE TO COMPLY WITH COMMISSION DECISIONS.**

Summary

This resolution revokes the competitive carrier Certificates of Public Conveniences and Necessity (CPCNs) held by the 79 companies listed in the Discussion Section for failure to comply with Decision 93-05-010, Ordering Paragraph 4.

Background

Decision 93-05-010 Ordering Paragraph 4 states that the Commission will consider the revocation of competitive carriers that are more than 90 days late in filing annual reports and remitting surcharges.

The following steps were taken to locate the 79 companies and determine their status:

1. Telecom Division researched the carriers' record of reporting and surcharge payments. It was determined that each carrier is at least 90 days late in reporting total intrastate end-user billing subject to surcharge on the form Combined California PUC Telephone Surcharge Transmittal (Surcharge Transmittal). The listed carriers have not filed the Surcharge Transmittal form in 2001 and 2002.
2. Notice of company names was placed in the Commission Calendar for 30 days. Interested parties were invited to call Telecom Division (TD) staff with questions or comments on these carriers' locations, but TD was not contacted by these 79 companies.

Discussion

The companies whose certificates of public conveniences and necessity are revoked by this resolution are the following:

	<u>CPCN#</u>	<u>Company Name</u>
1.	6361	Com Tech International Corp.
2.	6362	IP Networks, Inc.
3.	6365	Avana Communications Corp.
4.	6366	Ling Telecom, Inc.
5.	6368	Intra E
6.	6369	North Star Telecom, LLC
7.	6371	Essex Communications, Inc.
8.	6372	Rubicon Technologies and Telecom
9.	6377	Clean Earth Energy, Inc.
10.	6378	Actel Integrated Communications
11.	6379	Enron Telecommunications, Inc.
12.	6380	GTC Telecom
13.	6382	KMC Telecom V, Inc.
14.	6386	U.S. Dial Tone, L.P.
15.	6388	Servi Sense.com, Inc.
16.	6389	Pocketpass.com, Inc.
17.	6392	IP Communications Corp.
18.	6394	Broadband Digital Technologies
19.	6397	Sentre Telecom, LLC
20.	6398	Accutel of Texas, Inc.
21.	6399	U.S. Data Highway Corporation
22.	6400	Global Internet Communications
23.	6403	Amtel, LLC
24.	6404	Sigma Networks Communications
25.	6407	Evulcan
26.	6409	Telegate, Inc.
27.	6411	Far East Gateway, Inc.
28.	6412	Alta Network
29.	6415	Enkido, Inc.
30.	6420	Innovative Calling Technology
31.	6425	Norbel Telecom, Inc.
32.	6426	Metro Access Exchange, LLC
33.	6428	Power Access Telecommunications
34.	6430	Tierra Telecom, inc.
35.	6431	Rocatel, Inc.
36.	6436	Sierra Pacific Communications

37.	6439	Marketasian Network, Inc.
38.	6440	Novacom Global, LLC
39.	6441	ESS.com, LLC
40.	6442	Global Broadband, Inc.
41.	6456	Global Technology dba Telera
42.	6461	Global Net Paging, Inc.
43.	6464	Broadriver Communications
44.	6465	Pathnet Operating, Inc.
45.	6466	Seven Bridges Communications
46.	6467	Global Tele Link Services, Inc.
47.	6474	Paramount International Telecom
48.	6478	Global Link Communications, Inc.
49.	6480	Evannet Communication, Inc.
50.	6482	Vectron Communications Services
51.	6483	CRC Communications of California
52.	6488	Talking Net California, LLC
53.	6490	Raptel Communications, LLC
54.	6491	Wherever.net USA, Inc.
55.	6492	TNS of California, Inc.
56.	6496	Contel Network, LLC
57.	6501	Paging Dimensions, Inc.
58.	6516	Multa Communications Corporation
59.	6541	Chernow Communications, Inc.
60.	6542	Communication Impact, Inc.
61.	6543	Domino Networks Communications
62.	6544	South West Communications, Inc.
63.	6545	New Access Communications, LLC
64.	6547	Lucky Communications, Inc.
65.	6548	Sierra Touch America
66.	6552	Novatel Global, LLC
67.	6553	Lightwave Communications, LLC
68.	6554	Indiginet
69.	6555	Bridgecom International, Inc.
70.	6557	Acomm, Inc.
71.	6559	Quality Telephone, Inc.
72.	6562	Aries Network, Inc.
73.	6563	Exario Telecom, Inc.
74.	6566	Power-finder West Communications
75.	6571	Optical Telephone Corporation
76.	6576	Ntera, Inc.
77.	6583	Norcom, Inc.
78.	6592	KMC Data, LLC
79.	6594	Giant Loop Telecom, Inc.

According to TD records, these companies have not remitted surcharges and/or submitted transmittal forms for the entire period each held its CPCN. Therefore, the Legal Division may, if chooses, pursue the companies for any owned surcharges.

Over the past few years, Telecommunications Division (TD) has revoked a large number of carriers, both voluntarily and for cause. The number of carriers revoked in each resolution has increased over time. Our general rule has been to write revocation resolutions frequently (often monthly), with as many as 35 carriers in each resolution. A in April 2003 contained 78 revocations, a number that is only a little over two months worth of revocations in one resolution. All 79 revocations in this resolution have been thoroughly reviewed by TD staff, and notice to carriers has been completed.

Also, the Bureau of State Audits has audited TD's records and recommended that TD maintain an up-to-date list of operating carriers. This resolution will be a significant step toward that end.

Telecommunications Division's draft resolution in this matter was noticed in the Commission's Daily Calendar beginning on _____, in accordance with PU Code Section 311(g)(1). The following comments were received: _____.

Findings

1. The companies on the above list were certificated by the Commission as competitive carriers.
2. Proper measures were taken by Telecom Division staff to locate these companies. Each company had failed to respond to TD's communications. It is, therefore, reasonable to assume that these companies are no longer providing public utility service.
3. The companies on the above list have not timely remitted surcharges and submitted surcharge forms.
4. These companies may owe additional surcharges. The Legal Division may pursue the companies, if it chooses, for any owned surcharges.
5. The companies' CPCNs should be revoked and their Utility Identification Numbers should be cancelled for failure to comply with D.93-05-010 Ordering Paragraph 4.

THEREFORE, IT IS ORDERED that:

1. The competitive carrier Certificates of Public Convenience and Necessity granted to the carriers listed in the Discussion Section are revoked:

	<u>CPCN#</u>	<u>Company Name</u>
1.	6361	Com Tech International Corp.
2.	6362	IP Networks, Inc.
3.	6365	Avana Communications Corp.
4.	6366	Ling Telecom, Inc.
5.	6368	Intra E
6.	6369	North Star Telecom, LLC
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9.	6377	Clean Earth Energy, Inc.
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11.	6379	Enron Telecommunications, Inc.
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15.	6388	Servi Sense.com, Inc.
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75.	6571	Optical Telephone Corporation
76.	6576	Ntera, Inc.
77.	6583	Norcom, Inc.
78.	6592	KMC Data, LLC
79.	6594	Giant Loop Telecom, Inc.

2. The companies' Utility Identification Numbers are canceled and will not be reissued.
3. The Legal Division may, if chooses, pursue these companies for any owed surcharges.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on July 10, 2003. The following Commissioners approved it:

WILLIAM AHERN
Executive Director